

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**UNITED STATES OF AMERICA** : **CIVIL ACTION NO. 1:03-CR-0089**  
:  
**v.** : **(Judge Conner)**  
:  
**KEVIN LAMARR BETHEA** :

**ORDER**

AND NOW, this 27th day of June, 2005, upon consideration of defendant's motion (Doc. 30) to vacate the sentence imposed by this court on January 13, 2004, and it appearing that the period of limitations for filing such motions has expired, see 28 U.S.C. § 2255 ("A 1-year period of limitation shall apply to a motion under this section."); see also United States v. Bendolph, 409 F.3d 155, 164 (3d Cir. 2005) (providing that the court may raise § 2255 limitation period *sua sponte*), it is hereby ORDERED that defendant shall file a response, on or before July 15, 2005, showing cause why the motion should not be denied for failure to file within the applicable period of limitations.

S/ Christopher C. Conner  
CHRISTOPHER C. CONNER  
United States District Judge